IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Christophe BOURET et al. :

Application Serial No.: **10/026,922** : Group Art Unit: **2143**

Filed: **December 21, 2001** : Examiner: **Ji Yong David CHUNG**

For: ***Provision of Services in a Communication System***

Mail Stop AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

This Request for Review is filed in response to the final Office Action of December 2, 2005.

I hereby certify that this communication is being deposited with the United States Postal Service today, **April 28, 2006**, in an envelope with sufficient postage as first-class mail addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lissette Ramos

REMARKS

Applicant respectfully requests review of the final rejection of December 16, 2005 in light of the following remarks. The review is requested because the Office has failed to show that each and every element recited in the claims are disclosed or suggested by the cited references. See MPEP § 2131. This request for review is being submitted with a Notice of Appeal.

Background and Nature of the Invention

The present invention is directed to providing services for clients associated with a data communication network. It is particularly directed to making services of external service providers that provide value added services (e.g., entertainment services, information services) available to a data communication network.

It has been suggested that open interfaces based on distributed object techniques could be used for such service provisioning and that open interfaces could be based on the common object request broker architecture (CORBA) data transportation standard (specification: page 4, lines 21-25). However, the network protocols used by CORBA for a carrier network are not necessarily visible to the external service providers. In order to use CORBA, the CORBA interfaces need to be defined (pre-established) for each external service and must be mapped to the interface protocol used by the external service (specification: page 4, line 25 through page 5, line 8).

The present invention provides a solution to the problem by providing external services for clients associated with a data communication network where the services are provided by at least one external service provider and where the interfaces required for providing the service are not pre-established (as required in CORBA) but rather are established by use of a protocol that enables initiation of a service provisioning session and the establishment of all interfaces required for providing a service connection based on information communicated by means of this protocol.

It accomplishes this task by use of an interface entity that processes requests for services from clients and, when a matching service is found, communicates a message

to the external service provider of that service based on a protocol that enables initiation of a service provisioning session and establishes all interfaces required for providing a service connection based on the information communication by means of this protocol.

In the present invention, as recited by claim 1, a protocol is used that enables initiation of a service provisioning session and the establishment of the necessary interfaces required for providing a service to a client by an external service provider. By using a session initiation protocol there is no need for predefined information regarding these interfaces as required by CORBA. The interfaces according to claim 1 are created based on information communicated by means of the protocol when the interface entity finds a matching service and a message based on this protocol is communication to the external service provider. By using a session initiation protocol to communicate information for the establishment of all the interfaces required for providing a service connection, the provision of services is faster and more flexible, because it is not necessary to define the interfaces beforehand. In contrast, to provide a new service for use in the CORBA data transport standard, the interface definitions have to be pre-established before the service can be offered to a client.

Final Official Action

At section 3 of the final Office Action independent claim 1 is rejected under 35 U.S.C. §102(b) as anticipated by Orfali et al, which is indicated by the Office to incorporate "CORBAservices: Common Object Services Specification" (CORBA_1, hereinafter). CORBA_1 fails to disclose or suggest establishing all interfaces required for providing a service connection based on information communicated by means of a protocol that enables initiation of a service provisioning session, as recited in claim 1. Therefore, the Office has committed clear error by failing to show all of the limitations recited in independent claim 1.

On page 3, lines 13-16 of the final Office Action it is stated that the "Lookup interface" discussed on pages 16-30 and 16-31 of CORBA_1 provides a query function to convey information on available interfaces, and this is the equivalent of "establishing

all interfaces" as recited in claim 1. However, it is clear that merely providing information about compatible interfaces is not the same as establishing interfaces based on information communicated by a protocol that initiates a service provisioning session. The query function of the Lookup interface enables an object to obtain references to other objects that provide services meeting its requirements. See CORBA_1 page 16-32. Interfaces are not established during the Lookup interface discussed in CORBA_1, because at this stage an object is attempting to determine which other objects can provide the services the object is looking for, and no service provisioning session has been set up yet. Therefore, the section of CORBA_1 cited by the Office has nothing to do with establishing interfaces.

Furthermore, it is evident that the service interfaces discussed in CORBA_1 are not established based on information communicated by means of a protocol, but already exist when an object communicates its service to a trader (analogous to the claimed interface entity). See CORBA_1 page 16-2 (an object gives the trader a description of a service and the location of an interface where that service is available). In CORBA, as discussed above, the network protocols used are not necessarily visible to the service providers. Thus if these service providers use the open interfaces for service provisioning, and interfaces need to be defined for each service. See CORBA_1 page 16-7 (a service offer is the information asserted by an exporter about the service it is advertising and contains a reference to the interface that provides the service). In addition, interfaces must be mapped to the interface protocol. In contrast, claim 1 recites a protocol that enables initiation of a service provisioning session and also establishes all the necessary interfaces required for providing a service connection based upon information communicated by means of the protocol. Therefore, no predefined information regarding the interfaces is required at this stage, instead the interfaces are created based on information signaled between the client and the service.

As discussed in CORBA_1, the service exporter must know the interface beforehand, i.e. at the time of creating the new service. Therefore, CORBA_1 fails to disclose or suggest establishing all interfaces required for providing a service connection based on information communicated by means of a protocol that enables

initiation of a service provisioning session, as recited in claim 1. Since CORBA_1 fails to disclose or suggest all the limitations recited in claim 1, applicant respectfully requests withdrawal of the rejection to claim 1.

Independent claims 27 and 35 also contain the limitation that all interfaces are established based on information communicated by means of a protocol that enables initiation of service provisioning. At section 5 of the final Office Action these claims are rejected for the same reasons as claim 1. Therefore, for the reasons discussed above in relation to claim 1, CORBA_1 fails to disclose or suggest all the limitations recited in claims 27 and 35, and applicant respectfully requests withdrawal of the rejections to claims 27 and 35.

Since independent claims 1, 27 and 35 are not disclosed or suggested by the cited references, it is respectfully submitted that the dependent claims thereto are further not disclosed or suggested by the cited references.

Conclusion

Therefore, applicant respectfully requests review and withdrawal of the final rejection in light of the above arguments, and respectfully submits that the present application is in condition or allowance and such action is earnestly solicited.

Respectfully submitted,

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